

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Kelly Renee Preston,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY.

Defendant.

Case No. 18-cv-12248

UNITED STATES DISTRICT COURT  
JUDGE  
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE  
PATRICIA T. MORRIS

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**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION [#17] GRANTING PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT [#13], DENYING DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT [#14], AND REMANDING THIS CASE TO THE  
ADMINISTRATIVE LAW JUDGE FOR FURTHER PROCEEDINGS**

This matter is before the Court on cross motions for summary judgment regarding the Commissioner's decision to deny social security disability benefits to Plaintiff. Dkt. Nos. 13, 14. This Court referred the matter to Magistrate Judge Patricia T. Morris. On July 29, 2019, she issued a Report and Recommendation recommending that this Court grant Plaintiff's Motion for Summary Judgment, deny Defendant's Motion for Summary Judgment, and remand the case for further proceedings. Dkt. No. 17, pg. 1 (Pg. ID 903). Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the parties'

briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby ACCEPTS and ADOPTS Magistrate Judge Morris's July 29, 2019 Report and Recommendation [#17] as this Court's findings of fact and conclusions of law. Plaintiff's Motion for Summary Judgment [#13] is GRANTED and Defendant's Motion for Summary Judgment [#14] is DENIED. This case is remanded to the Administrative Law Judge for further proceedings.

SO ORDERED.

Dated: August 23, 2019

s/Gershwin A. Drain  
HON. GERSHWIN A. DRAIN  
United States District Court Judge

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, August 23, 2019, by electronic and/or ordinary mail.

s/Teresa McGovern  
Case Manager